

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JENO MICHAEL PAULUCCI, and
PATRICK LEWIS MCKINNEY,

Defendants.

4:22CR3100

ORDER

Defendants have moved to continue the pretrial motion deadline, (Filing Nos. 57 and 58) and associated telephonic conference. Defendant McKinney is engaged in plea negotiations; Defendant Paulucci and his counsel need additional time to fully review the discovery before deciding if pretrial motions should be filed. The motions to continue are unopposed. Based on the showing set forth in the motions, the court finds the motions should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motions to continue, (Filing Nos. 57 and 58), are granted.
- 2) As to both defendants, pretrial motions and briefs shall be filed on or before March 29, 2023.
- 3) As to both defendants, the conference call scheduled for February 7, 2023 is continued. A telephonic conference with counsel will be held before the undersigned magistrate judge at 1:30 p.m. on April 4, 2023 to discuss setting any pretrial motion hearing needed, a change of plea hearing, or the date of the jury trial and deadlines for disclosing experts as required under Rule 16. Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.

- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and as to both defendants, the additional time arising as a result of the granting of the motions, the time between today's date and April 4, 2023 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 30th day of January, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge